

section 1.49 and all other applicable sections of the Commission's rules. We also direct all interested parties to include the name of the filing party and the date of the filing on each page of their comments and reply comments. All parties are encouraged to utilize a table of contents, regardless of the length of their submission.

25. Parties are also strongly encouraged to submit comments and reply comments on diskette. Such diskette submissions would be in addition to, and not a substitute for, the formal filing requirements addressed above. Interested parties submitting diskettes should submit them to Warren Firschein, Accounting Safeguards Division, Common Carrier Bureau, 2000 L Street, N.W., Suite 200, Washington, D.C. 20554. Such a submission should be on a 3.5 inch diskette formatted in an IBM compatible format using Wordperfect 5.1 for Windows software. The diskette should be submitted in "read only" mode. The diskette should be clearly labeled with the party's name, proceeding, Docket No., type of pleading (comment or reply comments), date of submission, and filename with the "\*.wp" extension. The diskette should be accompanied by a cover letter.

26. This proceeding will be treated as a "permit-but-disclose" proceeding subject to the "permit-but-disclose" requirements under Section 1.1206(b) of the rules, 47 CFR 1.1206(b)(2), as revised. Additional rules pertaining to oral and written presentations are set forth in Section 1.1206(b).

#### Ordering Clauses

27. Accordingly, it is ordered that, pursuant to sections 1, 2, 4, and 11 of the Communications Act of 1934, as amended, 47 U.S.C. 151, 152, 154, and 161 that notice is hereby given of proposed amendments to part 32 and 64 of the Commission's rules, 47 CFR parts 32 and 64, as described in this Notice of Proposed Rulemaking.

28. It is further ordered that, pursuant to sections 1, 4, and 220 of the Communications Act of 1934, as amended, 47 U.S.C. 151, 154, and 220, and § 1.401 of the Commission's rules, 47 CFR 1.401, the Petition for Rulemaking of the United States Telephone Association is granted to the extent indicated herein.

29. It is further ordered that the Commission's Office of Public Affairs, Reference Operations Division, shall send a copy of this Notice of Proposed Rulemaking, including the Initial Regulatory Flexibility Certification, to the Chief Counsel for Advocacy of the Small Business Administration.

#### List of Subjects

##### Part 32

Communications common carriers, Reporting and recordkeeping requirements, Telephone, Uniform System of Accounts.

##### Part 64

Communications common carriers, Reporting and recordkeeping requirements, Telephone. Federal Communications Commission.

**Magalie Roman Salas,**

*Secretary.*

[FR Doc. 98-22601 Filed 8-24-98; 8:45 am]

BILLING CODE 6701-12-P

#### FEDERAL COMMUNICATIONS COMMISSION

##### 47 CFR Part 73

[MM Docket No. 98-152, RM-9338]

##### Radio Broadcasting Services; Avon, NC

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission requests comments on a petition filed by Avon Broadcasting Company to allot Channel 294A to Avon, NC, as its first local aural service. Channel 294A can be allotted to Avon in compliance with the Commission's minimum distance separation requirements without the imposition of a site restriction, at coordinates 35-21-06 North Latitude; 75-30-24 West Longitude. Petitioner is requested to provide further information to demonstrate that Avon is a community for allotment purposes.

**DATES:** Comments must be filed on or before October 13, 1998, and reply comments on or before October 28, 1998.

**ADDRESSES:** Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Richard J. Hayes, Jr., 8404 Lee's Ridge Road, Warrenton, VA 20186.

##### FOR FURTHER INFORMATION CONTACT:

Leslie K. Shapiro, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 98-152, adopted August 12, 1998, and released August 21, 1998. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC

Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Services, Inc., (202) 857-3800, 1231 20th Street, NW, Washington, DC 20036.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

##### List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

**John A. Karousos,**

*Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.*

[FR Doc. 98-22808 Filed 8-24-98; 8:45 am]

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#### DEPARTMENT OF COMMERCE

##### National Oceanic and Atmospheric Administration

##### 50 CFR Part 216

[Docket No. 970703165-8208-02; I.D. 062397A]

RIN 0648-AK00

##### Taking and Importing Marine Mammals; Taking of Marine Mammals Incidental to Power Plant Operations

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Proposed rule; request for comment and information.

**SUMMARY:** NMFS has received an application from North Atlantic Energy Service Corporation (North Atlantic) for an incidental small take exemption under the Marine Mammal Protection Act (MMPA) to take a small number of marine mammals incidental to routine operations of the Seabrook Station nuclear power plant, Seabrook, NH (Seabrook Station). By this document, NMFS is proposing regulations to allow incidental takes of certain species of